

Region 39, 700 MHz Regional Planning Committee
John Johnson, Chairman
3041 Sidco Drive
Nashville, TN 37204

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Service Rules for the 698-746, 747-762)	WT Docket No. 06-150
and 777-792 MHz Bands)	
)	
Revision of the Commission's Rules to Ensure)	CC Docket No. 94-102
Compatibility with Enhanced 911 Emergency)	
Calling Systems)	
)	
Section 68.4(a) of the Commission's Rules)	WT Docket No. 01-309
Governing Hearing Aid-Compatible Telephones)	
)	
Biennial Regulatory Review – Amendment of Parts 1,)	WT Docket No. 03-264
22, 24, 27, and 90 to Streamline and Harmonize)	
Various Rules Affecting Wireless Radio Services)	
)	
Former Nextel Communications, Inc. Upper)	
700 MHz Guard Band Licenses and)	WT Docket No. 06-169
Revisions to Part 27 of the Commission's)	
Rules)	
)	
Implementing a Nationwide, Broadband,)	
Interoperable Public Safety Network in the)	PS Docket No. 06-229
700 MHz Band)	
)	
Development of Operational, Technical and Spectrum)	
Requirements for Meeting Federal, State and Local)	WT Docket No. 96-86
Public Safety Communications Requirements Through)	
the Year 2010)	
)	

COMMENTS OF REGION 39, TENNESSEE

Region 39, Tennessee hereby submits these comments in response to the Commission's *Further Notice of Proposed Rulemaking (FNPRM)* in the above-captioned proceedings.

Region 39, Tennessee, appreciates the FCC's rapid movement on the 700MHz broadband issue. Region 39 supports the concept of 700 MHz broadband on a national basis; however, Region 39

is concerned that the FCC's proposal to eliminate narrowband data channels and that one National Licensee will cause the loss of Regional Planning Committee (RPC) control and influence in system design, build-out, operations and meeting the needs of public safety in local jurisdictions.

The elimination of the narrowband data channels will inhibit the immediate and short term deployment of wideband mobile data systems that are in progress today. In previous comments, Region 39 and other RPC's have stated that the 50 KHz channels are critical to meeting the mobile data needs of Public Safety and desire the flexibility of having both wideband and broadband data channels.

We feel that both narrowband and broadband channels are needed to meet the various needs of Public Safety. While the FCC noted some previous commenters supported wideband/broadband flexibility, it failed to acknowledge many of the public safety entities who did so. In Appendix D Section D, paragraph 24, the FCC makes the statement that "the Commission has issued no license for wideband channels." Within Region 39, Henderson County, Tennessee, has a pending 50KHz wideband license application, FCC file # 0002827392, filed November 2006, that the FCC has failed to act upon. The wideband spectrum is critical to rural counties such as Henderson County that has equipment ready to be used, but has been waiting upon the FCC to act on their license application. If the 50 KHz wideband channels are eliminated, what happens to the investment Henderson County has made in 700 MHz wideband?

Region 39 requests that the FCC consider keeping the current wideband data channel allocation and consider using commercial and public safety reserve spectrum for broadband data. Other alternatives may be to (1) allocate a minimum of one MHz spectrum block of narrowband 50 KHz channels under RPC control for wideband data usage, (2) a migration period of approximately ten years so that 50 KHz wideband data could be implement in the interim to fulfill needs today and then phased into broadband, (3) 50 KHz wideband data channels be permitted in the guard band on a non interfering basis.

Region 39 supports the optimization of the 700 MHz band by moving the narrowband voice channels to the upper end of the band and the data channels to the lower end of the band with a guard band in between. Tennessee state government already has over five hundred 700 MHz capable mobile and portable radios that will have to be upgraded to meet the band plan changes, but no funding source has been identified to pay for these changes. Tennessee is in the beginning stages of planning a Statewide 700 voice and mobile data system. It is critical to the State that the 700 MHz band plan and wideband verses broadband issue be resolved as expediently as possible.

Region 39 is also concerned about the loss of RPC control over the spectrum currently under RPC control to a National licensee and the length of time it would take to construct a national 700 MHz wireless broadband network. As its rationale to mandate broadband and disallow local/regional public safety technology decisions, the FCC stated that "providing flexibility could hinder efforts to deploy a nationwide, interoperable broadband network by perpetrating a balkanization of public safety spectrum licenses, networks and technology deployment." In essence this tentative conclusion favors Federal mandates over local/regional decisions and, if made final, would eliminate the option to deploy cost effective wideband systems or dedicated local agency broadband systems. Also if the

interoperability occurs at the network level as opposed to the radio level, broadband units can be interoperable on many levels with wideband units.

How long would it take to deploy a national wireless data system? Some estimates of eight to tens years have been discussed. In many rural, low population density areas, cellular is still not available today, over twenty years since cellular was first deployed. Public Safety needs to be able to control the spectrum that was allocated and the flexibility of deployment into metropolitan and rural areas with low population.

In conclusion, Region 39, a Region with a FCC approved 700 MHz Plan, emphatically comments that 700 MHz wideband is critical to Public Safety, that the Regional Planning Committees need to have influence and control of both the voice and data spectrum and supports the optimization of the 700 MHz band. Region 39 also requests that the pending Henderson County application be granted as soon as possible.

Respectfully submitted,

John W. Johnson
Chairman, Region 39
May 23, 2007